IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 944 of 2004

Shripad Ganpat Bhabal ..Appellant

V/s

The State of Maharashtra and Ors..Respondents

Shri S.M.Railkar for Appellant

Ms Geeta Mulekar,APP for Respondent nos 1 to 3

CORAM:S.R.SATHE,J.

DATED:20th July 2007

P.C.:-

1. Heard both the learned Advocates.

2. In pursuance of the order passed by this Court (Coram:P.V.Kakade,J) on 1-7-2005 the Appellant had made an application to the proper authorities for regularisation of the excess construction. On the said application the Additional Collector, Sindhudurg has passed order on 3-5-2007 whereby he has cancelled the original order regarding demolition dated 6-7-2006 and directed the S.O.O. Sindhudurg to examine the papers afresh and pass the order on merits.

3. Hence the present appeal has in fact become infructuous. Hence the same is disposed of accordingly. However, S.D.O. Sindhudurg is directed to take necessary steps as per order passed by the Additional Collector, Sindhudurg after giving due opportunity to both sides and pass necessary orders within 3 months from today.

(S.R.SATHE,J.)